

<b>STATE OF MICHIGAN JUDICIAL DISTRICT</b>	<b>APPEAL WORKSHEET FOR CLAIM OF APPEAL OF RIGHT</b>	<b>CASE NO. CIRCUIT COURT DISTRICT COURT</b>
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Date of judgment/order: \_\_\_\_\_

LAST DATE FOR FILING

DATE ACTUALLY FILED

- |                                                                      |       |       |
|----------------------------------------------------------------------|-------|-------|
| 1. a. Appeal filed in Circuit Court .....                            | _____ | _____ |
| b. Copy filed in District Court .....                                | _____ | _____ |
| c. Fee paid in Circuit Court .....                                   | _____ | _____ |
| d. Bond set/filed in District Court .....                            | _____ | _____ |
| e. Copy of bond filed in Circuit Court .....                         | _____ | _____ |
| f. Order transcript .....                                            | _____ | _____ |
| g. Exhibits filed in District Court .....                            | _____ | _____ |
| h. Pay District Court:                                               |       |       |
| Taxable costs .....                                                  | _____ | _____ |
| \$25.00 appeal fee .....                                             | _____ | _____ |
| 2. a. Serve appellee copies of:                                      |       |       |
| Claim of appeal .....                                                | _____ | _____ |
| Copy of bond or waiver .....                                         | _____ | _____ |
| Statement re payment of fees .....                                   | _____ | _____ |
| Recorder's/Reporter's certificate .....                              | _____ | _____ |
| b. File proof of service in Circuit Court .....                      | _____ | _____ |
| c. File proof of service in District Court .....                     | _____ | _____ |
| 3. a. File appearance and all exhibits with District Court .....     | _____ | _____ |
| b. <input type="checkbox"/> File cross appeal .....                  | _____ | _____ |
| c. File appearance with Circuit Court .....                          | _____ | _____ |
| 4. Transcript filed by recorder/reporter .....                       | _____ | _____ |
| 5. Second recorder's/reporter's certificate filed by appellant ..... | _____ | _____ |
| 6. Order settling and transmitting record on appeal .....            | _____ | _____ |
| 7. Record transmitted, including transcript and docket entries ..... | _____ | _____ |

**CHECKLIST**  
**APPEALS FROM DISTRICT COURT TO CIRCUIT COURT**

1. Within 21\* days after judgment\*\*, appellant must:
  - a. File claim of appeal\*\*\* in circuit court,
  - b. File copy of claim of appeal in district court (showing **circuit court** file number),
  - c. Pay appeal fee\*\*\*\* to circuit court clerk,
  - d. Get bond on appeal set (or denied), approved and posted in district court,
  - e. File copy of bond with clerk of circuit court,
  - f. Order (and pay estimated cost of) one full original transcript (district judge may order excerpt of transcript or no transcript, but only on appellant's motion),
  - g. File exhibits in possession of defendant or his/her attorney with district court clerk,
  - h. Pay to clerk of district court: taxable costs of the prevailing party together with \$25.00\*\*\*\*\*.
2. Within 7 days after the claim of appeal is filed (even if the appeal period has **more** than 7 days remaining), appellant must:
  - a. Serve upon appellee copies of:
    - 1) Claim of appeal
    - 2) Statement re appeal bond (or copy of appeal bond)
    - 3) Statement re payment of appeal fee
    - 4) Recorder's/Reporter's certificate that a transcript has been ordered and estimated cost paid
  - b. File in circuit court proof of service of 2.a. 1) through 4) on appellee,
  - c. File in district court proof of service of 2.a. 1) through 4) on appellee.
3. Within 14 days after claim of appeal is filed, appellee must:
  - a. File an appearance and all exhibits in appellee's possession with the district court clerk.
  - b. Appellee may also file cross claim at this time.
  - c. File an appearance with circuit court.
4. When the district court recorder/reporter completes the transcript, it is filed with the district court clerk.
5. Within 28 days after the claim of appeal is filed, appellant must file a second certificate from court recorder/reporter, if transcript is not filed, and any and all other matters to be included in the record on appeal. Failure to do so results in the dismissal of the appeal by the trial court judge.
6. As soon as number 5 is done, the **trial judge** must review the proposed record on appeal and enter an order transmitting the appeal to circuit court (order settling record on appeal), or notify circuit court why the file is not ready and when it will be ready.
7. The district court clerk transmits the complete record on appeal, including the transcript, to the circuit court clerk as directed in the order.
8. When all else fails - read MCR 7.101.

\* Within 10 days in landlord tenancy possessory actions

\*\* Judgment (sentence) or denial of timely motion for new trial or N.O.V.

\*\*\* See form MC 55 [MCR 7.101(C)]

\*\*\*\* \$150.00 beginning October 1, 2003

\*\*\*\*\* Compare MCL 600.6536 with MCL 600.2528 and 600.2529